

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 568

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LAUER (Sponsor) AND GATSCHENBERGER (Co-sponsor).

1608H.01P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 67.463 and 67.469, RSMo, and to enact in lieu thereof two new sections relating to neighborhood improvement district special assessments.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Sections 67.463 and 67.469, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 67.463 and 67.469, to read as follows:

67.463. 1. At the hearing to consider the proposed improvements and assessments, the
2 governing body shall hear and pass upon all objections to the proposed improvements and
3 proposed assessments, if any, and may amend the proposed improvements, and the plans and
4 specifications therefor, or assessments as to any property, and thereupon by ordinance or
5 resolution the governing body of the city or county shall order that the improvement be made and
6 direct that financing for the cost thereof be obtained as provided in sections 67.453 to 67.475.

7 2. After construction of the improvement has been completed in accordance with the
8 plans and specifications therefor, the governing body shall compute the final costs of the
9 improvement and apportion the costs among the property benefitted by such improvement in
10 such equitable manner as the governing body shall determine, charging each parcel of property
11 with its proportionate share of the costs, and by resolution or ordinance, assess the final cost of
12 the improvement or the amount of general obligation bonds issued or to be issued therefor as
13 special assessments against the property described in the assessment roll.

14 3. After the passage or adoption of the ordinance or resolution assessing the special
15 assessments, the city clerk or county clerk shall mail a notice to each property owner within the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 district which sets forth a description of each parcel of real property to be assessed which is
17 owned by such owner, the special assessment assigned to such property, and a statement that the
18 property owner may pay such assessment in full, together with interest accrued thereon from the
19 effective date of such ordinance or resolution, on or before a specified date determined by the
20 effective date of the ordinance or resolution, or may pay such assessment in annual installments
21 as provided in subsection 4 of this section.

22 4. The special assessments shall be assessed upon the property included therein
23 concurrent with general property taxes, and shall be payable in substantially equal annual
24 installments for a duration stated in the ballot measure prescribed in subsection 2 of section
25 67.457 or in the petition prescribed in subsection 3 of section 67.457, and, if authorized, an
26 assessment in each year thereafter levied and collected in the same manner with the proceeds
27 thereof used solely for maintenance of the improvement, taking into account such assessments
28 and interest thereon, as the governing body determines. The first installment shall be payable
29 after the first collection of general property taxes following the adoption of the assessment
30 ordinance or resolution unless such ordinance or resolution was adopted and certified too late
31 to permit its collection at such time. All assessments shall bear interest at such rate as the
32 governing body determines, not to exceed the rate permitted for bonds by section 108.170.
33 Interest on the assessment between the effective date of the ordinance or resolution assessing the
34 assessment and the date the first installment is payable shall be added to the first installment.
35 The interest for one year on all unpaid installments shall be added to each subsequent installment
36 until paid. In the case of a special assessment by a city, all of the installments, together with the
37 interest accrued or to accrue thereon, may be certified by the city clerk to the county clerk in one
38 instrument at the same time. Such certification shall be good for all of the installments, and the
39 interest thereon payable as special assessments.

40 5. Special assessments shall be collected and paid over to the city treasurer or county
41 treasurer in the same manner as taxes of the city or county are collected and paid. In any **county**
42 **with a charter form of government and with more than six hundred thousand but fewer**
43 **than seven hundred thousand inhabitants and any** county of the first classification with more
44 than one hundred thirty-five thousand four hundred but fewer than one hundred thirty-five
45 thousand five hundred inhabitants, the county collector may collect a fee as prescribed by section
46 52.260 for collection of assessments under this section.

67.469. A special assessment authorized under the provisions of sections 67.453 to
2 67.475 shall be a lien, from the date of the assessment, on the property against which it is
3 assessed on behalf of the city or county assessing the same to the same extent as a tax upon real
4 property. The lien may be foreclosed in the same manner as a tax upon real property by land tax
5 sale pursuant to chapter 140 or [by judicial foreclosure proceeding], **if applicable to that**

6 **county, chapter 141, or** at the option of the governing body, **by judicial foreclosure**
7 **proceeding.** Upon the foreclosure of any such lien, whether by land tax sale or by judicial
8 foreclosure proceeding, the entire remaining assessment may become due and payable and may
9 be recoverable in such foreclosure proceeding at the option of the governing body.

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